14 FAM 430
MANAGING OFFICIAL VEHICLES AT POSTS ABROAD

(CT:LOG-155; 09-10-2013)
(Office of Origin: A/LM)

14 FAM 431 SCOPE AND AUTHORITY

14 FAM 431.1 Scope

(CT:LOG-140; 12-04-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. This policy explains requirements for managing the official vehicle fleet at Foreign Service posts. This section deals primarily with on-road vehicles having a minimum of four wheels used in the post vehicle fleet to transport passengers and goods. Post's property and motor vehicle accountable officer (MVAO) (see 14 FAM 431.2-1) must be sensitive to the different vehicle classifications used by the Department of State, or other agencies, and the differences applied to property control and capitalization as described in the following paragraphs.

b. This policy covers, in part, U.S. Department of State motor vehicles provided to contractors (i.e., government-furnished property (GFP)) and contractor-acquired property (CAP), when the U.S. Government holds title. Authority and guidance for providing excess State personal property to contractors is available in the Federal Management Regulation, 41 CFR 102-36.150 through 41 CFR 102-36.175. The primary policies and procedures for GFP and CAP property are available in Part 45 of the Federal Acquisition Regulation Web page. State has issued implementing-agency-level policies and procedures with respect to Contractor Held Property on the Department of State Acquisition Regulations Web site, Regulations PART 645 – Government Property and Procurement Information Bulletins such as (PIB) 2007-21, Contractor Held Government Property Requirements -- June 27, 2007 at the Policy Division's Procurement Information Bulletin Web page, and a November 30, 2007 A/LM/AQM Memorandum 07-07, Contracting Officer Government Property Administration Responsibilities.

c. State also provides GFP (motor vehicles) to grantees. Governing policies and regulations governing grantee-furnished personal property are available on the Policy Division Web site (see Federal Grants Regulations, Grants Authorities, and Grants Policy Directives on the Office of the Procurement Executive's Federal Grant Regulations Web page). Specific regulations governing property

furnished to grantees includes 22 CFR 145.33 (Federally owned and exempt property); 22 CFR 145.34 (equipment); and GDP No. 30 Property Grants and Requirements for the Disposal of Property through Federal Assistance. Authority and guidance for providing excess State personal property to grantees is available in the Federal Management Regulation, 41 CFR 102-36.185 through 41 CFR 102-36.205. Also for guidance involving Federal Assistance Grants, see ALDAC 158387 on the ALDAC Web site.

d. Direct requests, in writing, for interpretation of or exceptions to these regulations, to the parent agency office below:

   (1) **State**: Chief, Motor Vehicle Branch (A/LM/OPS/SL/MV);

   (2) **USAID/Washington**: Bureau for Management, Management Services Office, Overseas Management Division (USAID/W - M/MS/OMD);

   (3) **Commerce**: International Trade Administration, U.S. and Foreign Commercial Services, Office of International Operations, Overseas Property Manager;

   (4) **Agriculture**: Foreign Agricultural Service; Office of Foreign Service Operations; International Services Division; and

   (5) **BBG**: For Overseas Transmitting Stations and Technical Monitoring Office's - Office of Technology, Services and Innovation, Operations and Stations Division (T/EOS); for VOA Correspondents – Central News (VOA\N).

e. Some State-owned vehicle-type classifications are tracked and controlled differently (see 14 FAM 431.2-3). However, all on-road, minimum-of-four-wheel vehicles in the post vehicle fleet have a zero capitalization threshold. While motorcycles, bicycles, and nonmotorized vehicles of a similar nature may be driven on public roads, they are not considered on-road vehicles for purposes of capitalization. All less-than-four-wheel on-road vehicles and all off-road vehicles such as lawnmowers, golf carts, forklifts, etc., are treated as other personal property when applying a capitalization policy. Vehicles of these types are recorded in the post property system and not reflected in the ILMS motor vehicle module. Two- or three-wheeled motor scooters or cycle-type vehicles used for messenger delivery and other utility vehicles and off-road vehicles purchased for less than $25,000 such as golf carts, forklifts, or tractors are not covered by this regulation and may be acquired without A/LM/OPS/SL/MV approval.

14 FAM 431.2 Responsibilities

14 FAM 431.2-1 Chief of Mission

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. Chiefs of mission (COM) and principal officers of posts without an immediate

supervisory mission have jurisdiction over official vehicles and must establish policy for the use of official vehicles for business purposes and other authorized uses in accordance with this regulation. Posts must establish, under COM or principal officer authority, policies for business use and other authorized use of motor vehicles at post, in accordance with 14 FAM 433.

b. The COM at each post must designate a direct-hire American employee (usually the management officer or supervisory GSO) to serve as motor vehicle accountable officer (MVAO). However, in locations where USAID manages its own motor vehicle fleets the USAID EXOs are designated MVAO. In locations where State is the service provider for motor pool management and USAID subscribes to this service, the management officer or supervisory GSO will serve as MVAO. Likewise, where USAID is the service provider for motor pool services at post, the USAID EXO will serve as MVAO. That individual will be responsible for ensuring compliance with regulations under this section, except where COM authority is specifically referenced.

14 FAM 431.2-2 Responsible Officer or Employee

(CT:LOG-140; 12-04-2012)
(Uniform State/BBG/USAID/Commerce/Agriculture)

The head of each agency at the post must assign responsibility for proper maintenance and control of that agency's vehicles to a specific officer or employee. The responsibilities of the designated officer include:

(1) Management and operation of the motor pool (where applicable) and compliance with the Department's Motor Vehicle Safety Management Program (MVSMP) (see the Motor Vehicle Safety Management Program Web site for all official vehicles at post);

(2) Preparation and submission of required reports including motor vehicle mishap reporting, in coordination with the post occupational safety and health officer (POSHO);

(3) Control of vehicle use (including host government-owned vehicles under USAID custody);

(4) Where applicable, ensuring that the Department's worldwide motor vehicle inventory is kept current by using the Integrated Logistics Management System Asset Management (ILMS-AM) inventory system, per 14 FAM 432, paragraph d;

(5) Recommendation of vehicle replacement and fleet adjustments;

(6) Coordination and oversight of vehicle disposal;

(7) Reviews of Forms OF-108, Daily Vehicle Use Record, to monitor vehicle use; and

(8) Establishment of a schedule of inspections to meet safety, security, and

warranty requirements.

14 FAM 431.2-3 USAID Washington Headquarters Office's Role

(CT:LOG-129; 06-14-2012)
(USAID Only)

a. The Overseas Management Staff, USAID Bureau for Management (M/MS/OMD), is responsible for providing oversight of the management of worldwide USAID-owned vehicles.

b. M/MS/OMD determines agency-wide policy and criteria for USAID-owned and leased motor vehicles, makes the decisions on missions' requests to standardize vehicle makes, and compiles and submits USAID's annual vehicle reports to other agencies (see USAID ADS Chapter 536).

c. For USAID-owned vehicles that are managed by ICASS, the service provider will submit to USAID - M/MS/OMD specific data on USAID-owned vehicles so that USAID can compile and submit its annual reports submission to FAST, etc.

d. Posts and the ICASS service provider must ensure that proceeds of sales of vehicles owned by USAID are properly recorded to ensure credit to the appropriate USAID account.

14 FAM 431.2-4 Motor Vehicle Accountable Officer

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID)

a. The motor vehicle accountable officer (MVAO) designated in writing by the chief of mission (COM) is responsible for the assignment of vehicles to constituent posts. However, in locations where USAID manages its own motor vehicle fleets, the USAID executive officers (EXOs) are designated MVAOs. In locations where State is the service provider for motor pool management and USAID subscribes to this service, the management officer or supervisory general services officer (GSO) will serve as MVAO. Likewise, where USAID is the service provider for motor pool services at post, the USAID EXO will serve as MVAO.

b. Vehicles must be assigned to fill justified requirements with consideration for the type of vehicle best suited to meet the transportation need, the availability of spare parts and repair facilities, and aspects of terrain or climate which bear on transportation.

c. Within-country program vehicle transfers may be made, on a one-for-one basis, without prior Department approval, but the transfers must be reported to the ILMS records clerk so that records may be adjusted accordingly. However, the MVAO must obtain approval from the Motor Vehicle Branch (A/LM/OPS/SL/MVB) before a vehicle is transferred if it will change the number of vehicles at the post involved (other than a one-for-one trade). The motor vehicle accountable

officer (MVAO) must maintain post's inventory of vehicles by using the ILMS-AM inventory system to ensure that the Department's worldwide motor vehicle inventory is kept current. Changes can be made by accessing the ILMS Motor Vehicle Worksheet through the Overseas Motor Vehicle Homepage (previously called the Motor Vehicle Survey Homepage in ILMS). Posts can use the Motor Vehicle Worksheet to create, update, and dispose of vehicle data (including program vehicles).

d. The MVAO should use the ILMS-AM inventory system to report only State and ICASS-owned and -leased motor vehicles at post. The ICASS motor pool MVAO should also submit to other Federal agencies who are subscribed to motor pool services, their specific vehicle data appropriate for reporting purposes.

e. Post should use the ILMS-generated Data Questionnaire to carefully monitor the accuracy of their motor vehicle surveys. The Data Questionnaire is used by the Motor Vehicle Branch to report vehicle data for the FAST (Federal Automotive Statistical Tool) report, which is a government-wide Web-based system used to measure Federal agency compliance of various acts and Executive Orders. The Motor Vehicle Branch may consult data from the report to evaluate post's fleet composition and replacement requests. With the implementation of the Fleet Management Information System (FMIS), the Department will automate and capture information essential to identify, collect, and analyze all costs involved in the operation of motor vehicles.

f. The MVAO must ensure that vehicle disposal is in accordance with applicable regulations (see 14 FAM 439.1) and that proceeds of sale are deposited in accordance with instructions provided by the owning agency, normally included with the disposal authorization (see 4 FAH-3 H-327).

14 FAM 431.3 Definitions

(CT:LOG-120; 03-05-2012)
(Uniform State/USAID/Commerce/Agriculture)

See 14 FAM 411.4 for definitions.

14 FAM 431.4 Authorities

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

The authorities for this subchapter include:

(1) Federal Property and Administrative Services Act of 1949, as amended;

(2) State Department Basic Authorities Act of 1956, Section 3(a) and 28 as amended;

(3) Foreign Excess Property Act, as amended;

(4) Foreign Assistance Act, as amended, sections 636 a (5) and (9) (22 U.S.C.

2396(a)(5) and (9));

(5) 31 U.S.C. 1344; and

(6) 31 U.S.C. 3512.

14 FAM 432 POLICY

14 FAM 432.1 General

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. Official vehicles may be provided for the transportation of personnel and property in the conduct of U.S. Government business (see 14 FAM 433.1). "Other authorized use" (see 14 FAM 433.2) must not interfere with the availability of vehicles for "business purposes"; neither must any additional vehicles be acquired for OAU purposes.

b. All passenger vehicles and light trucks purchased after 1 October 2009 or leased (for a period of 30 days or more) by the Department, posts or any U.S. Government agency under COM authority for official use at overseas posts must meet requirements specified in the Federal Motor Vehicle Safety Standards Web page, including driver and front passenger air bags, integral lap and shoulder belts at every forward-facing, outboard (against the door) seating position, and lap belts or integral lap and shoulder belts for all other seats. In addition, vehicles must be equipped with electronic stability control (ESC or its equivalent) for all models where ESC is standard or optional equipment. This applies to the purchase of both U.S.- and foreign-manufactured vehicles.

14 FAM 432.2 Fleet Size and Composition

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. The size and composition of post fleets is based on the following criteria:

(1) State staffing: A four-to-one ratio of State-U.S. citizen positions per vehicle will generally be used as a guideline;

(2) USAID staffing: A four-to-one ratio of professional positions is used generally. Detailed guidance is provided in ADS Chapter 536;

(3) Use: How vehicles are used in support of agency administrative transportation requirements; and

(4) Mileage: 12,000 miles per vehicle per year.

b. After the factors in subparagraph a(1) of this section are weighed and a tentative fleet size is established, other information about local use and

conditions may be considered. The criteria above apply to MV program vehicles only. The fleet size and composition for other program vehicles is determined by the appropriate program office, and the fleet size and composition for ICASS fleet will be determined by post's ICASS council. Types and numbers of vehicles will be assigned in accordance with the above factors, as appropriate:

(1) State only: Fleet size and composition must be tied to an objective described in the mission strategic plan (MSP). Requests for fleet increases must be supported by a statement of how the vehicle will be required to support an MSP objective. Greater consideration will be given to requests supported by prior-year MPP resource requirement statements; and

(2) State only: A/LM/OPS/LS/MV may weigh relative priorities and requirements between different posts and clients to ensure that Department-wide resources are equitably distributed. Towards this objective, other information may be requested from post prior to a decision to change fleet size or composition.

14 FAM 432.3 Fair and Equitable

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Official vehicles must be made available and dispatched on a fair and equitable basis, taking into account the official responsibilities of employees as well as other priorities and requirements. Locally prevailing conditions such as roads, parking, security concerns, and the availability of safe public transportation should also be considered.

14 FAM 432.4 Chauffeurs or Incidental Operators

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. Chauffeurs are defined as any employee whose job description regularly requires driving an official vehicle. Typically, these are motor pool employees hired as drivers for the mission or agency. Chauffeurs include truck and bus drivers hired mainly for the purpose of driving an official vehicle. Incidental operators are defined as employees other than chauffeurs who have been assigned or operate an official vehicle incidental to their primary job and include U.S. citizen and locally employed staff (LE staff) and contractors.

b. Each post may determine whether to use LE staff chauffeurs, or to permit U.S. citizen or LE staff to "self-drive" official vehicles as incidental operators, but the use of professional chauffeurs or drivers for local travel is preferred by the Department.

c. Posts that employ chauffeurs or authorize incidental operators to "self-drive" official vehicles must implement the following actions in accordance with the

Department's Overseas Motor Vehicle Safety Management Program (MVSMP). Other U.S. Government agencies under COM authority must also comply with these requirements for their chauffeurs and incidental operators:

(1) Ensure that chauffeurs/incidental operators have a valid driver's license for the class of vehicle(s) assigned, meet the minimum age requirements prescribed in the MVSMP, and pass an on-the-road, in-country practical driving evaluation test before being hired for or assigned to a position that requires operating an official vehicle. Where it has been verified that an incidental operator possesses a valid U.S. driver's license, an in-country driving orientation may be completed in lieu of an evaluation test. In countries identified as "elevated risk" in the Department's MVSMP, the in-country driving orientation must include driving practice in local traffic with an experienced operator;

(2) Ensure that driver safety training is provided for all chauffeurs and incidental operators upon initial assignment of an official vehicle and at least every 2 years thereafter;

(3) Ensure that overtime duty hours for chauffeurs and incidental operators do not exceed limits prescribed in the MVSMP; and

(4) Ensure that all chauffeurs and incidental operators are medically fit for driving official vehicles, as follows:

(a) All chauffeurs, as a condition for employment, must successfully complete the medical exam and certification established by the Office of Medical Services before being hired for or assigned to a job driving an official vehicle. Based on the examination results, certification may be granted for up to 2 years. To maintain employment in a chauffeur position, the medical exam and certification must be completed successfully at least every 2 years thereafter, or more frequently as determined by the health unit;

(b) All incidental operators must successfully complete a medical exam and certification before being granted permission to drive an official vehicle. New or existing medical exams may be used as long as the health practitioner has sufficient information to determine eligibility for certification using the Office of Medical Services criteria. Based on the examination results, certification may be granted for up to 4 years. To maintain official vehicle driving privileges, the medical exam and certification must be completed successfully at least every 4 years thereafter, or more frequently as determined by the health unit;

NOTE: Any incidental operators driving one of the following vehicle types must have their medical exam and certification renewed at least every 2 years as a condition for continued operation of the following vehicle types:

(i) GVWR of 25,001 pounds or more;

(ii) Vehicles that can transport more than 15 passengers (including the driver); and

(iii) Vehicles transporting hazardous materials of the quantity that requires placarding; and

(c) The Foreign Service medical provider (FSMP) is authorized to withdraw a chauffeur/incidental operator's medical certification during the period of certification if, in his or her professional judgment, the chauffeur's/incidental operator has a medical, physical and/or mental health condition that interferes with his or her ability to safely operate a motor vehicle. In that circumstance a new medical certification evaluation will be performed (see 3 FAM 7132);

(5) Ensure that driving privileges for chauffeurs and incidental operators are conditioned on avoiding serious infractions in their personal and official driving history. Infractions that may serve as cause for suspension or revocation of driving privileges, or other adverse actions against chauffeurs and incidental operators, include:

(a) Conviction of operating a motor vehicle under the influence of alcohol or narcotics;

(b) Failure to report an accident involving an official vehicle;

(c) Operating an official vehicle in an improper, illegal or dangerous manner;

(d) Utilizing an official vehicle in an unofficial or unauthorized manner;

(e) Involvement in a preventable accident resulting in injury or death of involved parties;

(f) Conviction for moving violations;

(g) Failure to comply with Department and post policies for driving official vehicles;

(h) Causing damage to official vehicles through abuse or neglect of the vehicle;

(i) Suspension or revocation of driver's license; and

(j) Failure to notify supervisors of any of the above infractions listed above within 3 business days;

(6) Incidental operators may be held liable for damages to a U.S. Government official vehicle subject to the post property survey's review of the incident and facts and a determination on employee liability. See 14 FAM 416.5 which addresses loss, damage, or destruction of property and employee liability for additional information; and

(7) Meet other requirements contained in the Department's Overseas MVSMP Safety Health and Environmental Management Web site.

14 FAM 432.5 Country-Wide Policies

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

The widely varying situations and circumstances abroad make it impracticable to prescribe specific regulations to govern every aspect of the use of official vehicles. However, the COM in consultation with ranking officers of other agency elements at a post, must prescribe countrywide policies for business and other authorized use of vehicles that also refer to or incorporate the Motor Vehicle Safety Management Program standards to ensure safe vehicle operations. These policies must provide for uniform, fair, and equitable treatment among post personnel. They must be documented in a "vehicle policy memorandum" which includes written guidelines setting forth criteria governing approval for the use of U.S. Government vehicles for "other authorized use" and the method of charging for such use. The memorandum must be reviewed at least annually and republished to incorporate any updates to State vehicle control policy.

14 FAM 432.6 Other Guidance

(CT:LOG-74; 09-02-2010)
(US&FCS and Foreign Agriculture Service Only)

a. U.S. and Foreign Commercial Service (US&FCS) Operations Manual Section 521, Official Vehicles for Use Abroad, provides specialized guidance on the request, use, purchase, disposal, and inventory of vehicles.

b. Foreign Agriculture Service Overseas Administrative Handbook, Section 9, Official Vehicles, provides specialized guidance on the request, use, purchase, disposal, and inventory of vehicles.

c. USAID ADS 536, Use and Control of Official Vehicles, provides guidance.

14 FAM 433 USE OF OFFICIAL VEHICLES

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Use of official vehicles either for business purposes or "other authorized use" in accordance with this section is for an "official purpose."

14 FAM 433.1 Business Purposes

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Official vehicles may be used for the following business purposes:

(1) Any transportation at post of chiefs of mission and principal officers at

consulates and consulates general, 24 hours a day, 7 days a week. Note: Although the transportation at post of chiefs of mission and principal officers at consulates and consulates general is a business purpose, the Department does not consider chiefs of mission and/or principal officers to be acting within the "scope of their employment" when they are driving an official vehicle to conduct personal business and such officials are strongly discouraged from "self-driving." See 14 FAM 433.5 for further details;

(2) Transportation of U.S. Government employees (including those employed under personal services agreements/contracts) and property directly related to the conduct of U.S. Government business; this provision extends to the transportation of employees in-country to monitor foreign assistance development projects;

(3) Transportation of U.S. Government contract workers when considered necessary to further the purposes of the contract unless the terms of the contract require the contractor to provide such transportation;

(4) Transportation of dependents in furtherance of an official U.S. Government activity where the presence of a family member will further U.S. Government interests, such as official functions by or for representatives of foreign nations;

(5) Certain agencies may have authorization to provide transportation between the residence of an officer or employee and various locations when required for the performance of fieldwork, or when essential for the safe and efficient performance of intelligence, counterintelligence, protective services, or criminal law enforcement duties when authorized by the head of the agency. Such authority must be documented and must be exercised with the concurrence of the COM;

(6) **BBG only**: Transportation of correspondents of the Voice of America and transportation of International Broadcasting Bureau (IBB) transmitting station managers. When a transmitting station is outside of the vicinity of a post, transportation of IBB transmitting station personnel is authorized while in a formal duty or on-call status, as confirmed by their listing as such on the written, periodic transportation plan and shift schedule prepared by the International Broadcasting Bureau transmitting stations. Approval of such transportation by the COM must be documented in the post vehicle policy memorandum;

(7) Transportation of public diplomacy artists, speakers, grantees, journalists, etc., in support of the Public Diplomacy program;

(8) Such other use as may be deemed appropriate for the conduct of official U.S. Government business, and as approved in writing by the COM or principal officer; and

(9) Taxicabs may be authorized for business purposes if the cost is less than the use of official vehicles, to accommodate security concerns, or when

official vehicles are not available. The motor vehicle accountable officer (MVAO) must weigh carefully the potential hazards of using local taxis versus post vehicles.

14 FAM 433.2 Other Authorized Use

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

"Other authorized use" means transportation of U.S. Government employees and their dependents, including those under personal services agreements and their dependents, for other than business purposes when authorized because public transportation is unsafe or not available or because such use is advantageous to the U.S. Government. Use advantageous to the government shall include, but is not limited to, use of armored vehicles for security reasons.

NOTE: When a Department employee is using a U.S. Government vehicle for an "other authorized use," the Department does not consider such employee to be acting within the "scope of his or her employment." See 14 FAM 433.5 for further details.

14 FAM 433.3 Approval for Other Authorized Use

14 FAM 433.3-1 General

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Transportation for other than business purposes is normally an employee responsibility. Privately owned vehicles are shipped to posts at U.S. Government expense in consideration of such responsibility. However, the COM may approve other authorized use of official vehicles when public transportation is unsafe or not available or when such use is advantageous to the U.S. Government. The exercise of this authority requires a written finding of the circumstances that justify the use of official vehicles and adequate liability insurance coverage.

14 FAM 433.3-2 Public Transportation Unsafe

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

If the COM finds that a specific security threat makes transportation by privately owned vehicle or public transportation unsafe, or that available public transportation is inherently dangerous, official vehicles may be used for the transportation of U.S. Government employees and dependent family members, and those under personal services agreements/contracts and their dependent family members. If the safety concern is about transportation facilities, as

opposed to a specific security threat, then privately owned vehicles should be used to the extent possible for nonbusiness transportation.

14 FAM 433.3-3 Public Transportation Unavailable

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

When public transportation is locally unavailable (not merely inconvenient), use of official vehicles may be authorized. Post policy should encourage the use of employees' privately owned vehicles to the extent possible. However, consideration may be taken of the transportation needs of dependent family members and of individuals with a medical condition that limits or prevents them from driving.

14 FAM 433.3-4 Use Advantageous to U.S. Government

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Unless otherwise authorized under 14 FAM 433.2, authorization to use U.S. Government vehicles under this provision is restricted to the following:

(1) Transportation of dependent school children to and from a U.S.-sponsored school abroad when other transportation is unavailable or inappropriate;

(2) Local transportation of Marine security guards for group recreational purposes. This use is authorized in a memorandum of agreement between State and the U.S. Marine Corps and does not require a local finding;

(3) Home-to-office transportation for employees at post on temporary duty assignment; and employees either arriving on assignment, for whom a privately owned vehicle, shipped at U.S. Government expense, is in transit, or employees departing upon completing an assignment, whose private vehicle has been shipped. In such cases, home-to-office transportation is authorized for a limited time as provided in post's policy;

(4) Residence-to-office transportation for employees where some U.S. citizen employees or members of their families are not permitted to drive by local law or custom, or some are not permitted to import a privately owned vehicle by the local government or employees who are not authorized to ship a vehicle by the U.S. Government, or are effectively prevented from doing so by reason of import duties in excess of the purchase value of the privately owned vehicle;

(5) Transportation of on-call duty personnel, including security and information management personnel outside normal duty hours. Approval for such transportation must be made, in writing, by the COM/heads of agencies and must include a finding that unique and unusual circumstances require such personnel to use an official vehicle for transportation to a residence or

other location after normal business hours for the purpose of rapid recall to duty. The written finding must justify such use, specify the duration of approval, and either be included in or filed with the vehicle policy memorandum; or

(6) Home-to-office transportation for the deputy chief of mission (DCM) where the COM determines, in writing, that such use is required by diplomatic necessity. Residence-to-office transportation of the USAID director may be approved under this subparagraph on the basis of unusual and compelling circumstances with the concurrence of the ambassador.

14 FAM 433.4 Charges for Other Authorized Use of Official Vehicles

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. The motor vehicle accountable officer (MVAO) or designee will collect a charge for all "other authorized use" approved under 14 FAM 433.2 except the following:

(1) Local transportation of dependent children to and from U.S.-sponsored schools abroad;

(2) Transportation necessary for the protection of personnel at posts designated for a danger pay allowance or transportation of personnel subject to a security threat when the regional security officer (RSO), with the concurrence of the COM, has determined, in writing, that transportation in an armored vehicle with a security escort is necessary for their protection, or when, because of unusual circumstances, the Assistant Secretary for Administration has approved a post request to waive the charge for secure transportation;

(3) Transportation provided to Marine security guards;

(4) Transportation of on-call duty personnel outside normal duty hours;

(5) Transportation provided to employees at post on a temporary duty assignment; and

(6) Transportation of locally employed staff (LE staff) who are dependent on public transportation for officially ordered work outside regular working hours, and who must travel between an authorized work site and their home during hours of infrequently scheduled public transportation or darkness. Such transportation must support a specific operational objective (e.g., employee safety) and must be authorized in advance by the COM, MVAO, or designee on a trip-by-trip basis.

b. Establishing charges:

(1) Each post must establish and the COM must approve a charge for

authorized, nonbusiness use of official vehicles. Charges must be based on the projected cost per mile of vehicle usage over the estimated useful life, including depreciation (purchase and transportation costs less the estimated salvage value upon disposal, divided by the product of the estimated useful life in years and the average annual mileage); plus the estimated operating costs per mile for service, parts, repair, fuel and lubricants, registration, and insurance; multiplied by the number of miles traveled (for shuttle service between home and office, use the round-trip distance to and from the motor pool); plus the prorated salary and benefits costs of the driver, if applicable (for shuttle service between residence and office, use the round-trip time to and from the motor pool); divided by the average number of passengers per trip. See 14 FAH-1 Exhibit H-812, Sample Formula Illustrating Cost-Recovery Rate for "Other Authorized" Use Transportation);

(2) These charges must apply to contractors if not inconsistent with the terms of the contract. In the rare instances when foreign national personnel are provided with transportation between home and office, the fee will be charged to these personnel unless inconsistent with local custom, or if there are other overriding factors present that the COM determines justify a reduced charge or no charge (see 14 FAM 433.4, subparagraph a(6));

(3) The charge for "other authorized use" must be calculated annually (or more often if necessary due to significant changes in salary or fuel costs). The computation of the charge must be documented and filed with the post vehicle policy memorandum and available for inspection; and

(4) When the other authorized use is for home-to-office transportation, the same cost recovery calculations apply. In order to standardize the charge for home-to-office transportation, if more than one type of shuttle vehicle is used, or if shuttle distances vary, an average cost should be calculated. The cost per mile will be one official cost, the same as for all riders and all purposes that will be reviewed annually. The MVAO will calculate the actual cost per mile based on the ridership snapshot at that time and would use actual ridership (thus if a nine-seater van has only six passengers, six would be used as the number for calculations):

   (a) Post must perform the calculation for each fleet vehicle used, based on actual ridership, actual mileage, etc. Actual mileage is from when the vehicle leaves the parking lot to when it returns;

   (b) Post must throw out the highest and lowest numbers, and take the average of the rest;

   (c) That average becomes the single cost per mile fee charged to all riders equally. Thus if the average is $3.20, all riders will be charged $3.20 per ride regardless of their own personal situations, and

   (d) Post would be required to review this number annually, and could elect

to review it at any other time, up to a maximum of once per quarter.

c. Collecting charges: The policy for collecting transportation charges must be fair, equitable, and clearly stated in the post administrative memorandum governing the use of official vehicles. If tickets are used for home-to-office transportation, the policy should name the person(s) authorized to approve ticket purchases and sell tickets, responsible for keeping records and depositing proceeds with a Class B cashier, and accountable for ticket sales. Fees may be collected in local currency to simplify deposit. Collections must be deposited by the post to the General Fund Receipt Account and reported through the accounting system of the responsible agency. The account number for State activities is 193220. USAID controllers must deposit proceeds to the "Miscellaneous Recoveries not Classified Elsewhere" account 72-3220. Funds collected are not be applied to expenses of the servicing post or agency. FAS will deposit the reimbursement monies in the FAS miscellaneous receipt account 12-3220.

d. Using taxicabs: Use of taxicabs is authorized when transportation between home and office has been authorized, official vehicles are not available, and when not inconsistent with the determination that use of official vehicles for transportation between home and office is authorized under 14 FAM 433.2. The taxi fare would be paid by the employee who would then be reimbursed for the actual cost less the imposed charge.

14 FAM 433.5 Liability for Personal Use by COMs/Principal Officers and Other Authorized Use of U.S. Government Vehicles

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. Liability in U.S. courts: The U.S. Government's liability for property damage, personal injury, or death claims in U.S. courts generally is limited to acts of U.S. Government employees acting "within the scope of employment." When a Department employee is using a U.S. Government vehicle for an "other authorized use," or a COM or principal officer is driving a U.S. Government vehicle to conduct personal business, the Department does not consider such employee to be acting within the scope of his or her employment, except when driving is part of the employee's official duties as a U.S. Government employee; i.e., a post driver or chauffeur on duty. This means that a U.S. Government employee may be held personally liable by a U.S. court for acts committed while using a U.S. Government vehicle for personal business. The determination of whether a U.S. Government employee was acting within the scope of employment is ultimately made by a Federal court, but generally is based upon a certification filed before the court by the U.S. Department of Justice, which solicits input from the employee's employing agency. For more

information on the Department of Justice certification process, see 28 CFR Part 15.

b. Liability in foreign courts: In foreign courts, the liability of an individual using a U.S. Government vehicle for personal business will depend on that individual's privileges and immunities. Thus, all actions in foreign courts related to an overseas vehicle accident involving a Department employee must be reported to Diplomatic Law and Litigation (L/DL). See 2 FAM 226 and 2 FAM 284 for more information.

c. Liability insurance requirement: Operation of an official vehicle not driven by a post driver or chauffeur on duty is only authorized upon the post's acquisition of liability insurance for that purpose. The motor vehicle accountable officer (MVAO) must inform employees of their personal liability and the extent of liability insurance the post has for such drivers.

14 FAM 434 CONTROL OF OFFICIAL VEHICLES

14 FAM 434.1 Motor Pools

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

All posts or agencies having two or more vehicles available for general use must operate such vehicles as a motor pool; that is, make them available for the use of all officers or employees having need of vehicles for official purposes. The exception would be for vehicles designated and/or modified for security uses. Pooled motor vehicles from more than one agency may be used with the agreement of the COM or principal officer and the ranking officer of another agency at the post. Vehicles available for general use normally exclude those authorized for exclusive assignment.

14 FAM 434.2 Vehicle Assignments

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Vehicles assigned for exclusive use may not be used for other authorized transportation except in accordance with 14 FAM 433.2. This does not apply to use of vehicles assigned to the COM or the principal officer at a consulate or consulate general since this is covered under 14 FAM 433.1, subparagraph (1). Only the following vehicles may be assigned for exclusive use:

(1) The principal officer's vehicle;

(2) A vehicle assigned, at the discretion of the COM, to the ranking subordinate officer at a diplomatic mission. Such an assignment must be made from post's existing State fleet because additional resources are generally not

available for this purpose. The motor vehicle accountable officer (MVAO) must assign a vehicle from its on-hand State fleet;

(3) The Marine security guard detachment reaction vehicle in accordance with guidance provided in paragraph (3), subparagraph 6, section (d) Local Transportation, of the U.S. Department of State/USMC Memorandum of Agreement. Also refer to 14 FAM 433.3-4 (2);

(4) Vehicles purchased by other U.S. Government agencies and as-signed to the agency representative at post;

(5) Vehicles funded and controlled by the Bureau of Diplomatic Security (DS) or USAID/IG for security purposes, including:

(a) Vehicles driven by security personnel on personal protection assignments;

(b) Local Guard Program vehicles;

(c) Surveillance detection vehicles;

(d) Transit security vehicles;

(e) Engineering services center office (ESC/ESO) vehicles; and

(f) Vehicles utilized for emergency purposes; and

(6) Vehicles funded and controlled by Overseas Buildings Operations (OBO) for the use of the OBO project director (PD) for official travel during the course of the PD's assignment to an OBO project.

14 FAM 434.3 Review of Assigned Vehicles and Usage

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Each agency must review fleet use and composition annually to ensure the right mix of passenger and cargo-carrying vehicles and that vehicles are assigned and used properly. If any vehicles are found to be in excess of agency fleet requirements, the motor vehicle accountable officer (MVAO) or designee must notify the owning agency, providing description of the vehicle, inventory number, condition, age and mileage so that the appropriate disposition can be made.

14 FAM 435 LIABILITY, INSURANCE, LOSS, AND DAMAGE

14 FAM 435.1 Liability and Insurance for Official Vehicles

(CT:LOG-129; 06-14-2012)

(Uniform State/USAID/Commerce/Agriculture)

a. State (2 FAM 281) and USAID (ADS Chapter 152) have administrative authority to settle and pay tort claims to third parties for property damage, bodily injury, and death resulting from the operation of official vehicles by their employees acting "within the scope of employment." It is general U.S. Government policy that the United States self insures for such liability and its own property. However, principal officers and ranking officers of establishments abroad are authorized to purchase insurance against such liability and property and for in such amounts as are required by local law or as they deem desirable. It may be prudent under certain local situations to purchase additional liability insurance.

b. "Other authorized use": The U.S. Government's liability under paragraph a of this section is limited to acts of employees "within the scope of employment." This means that the U.S. Government is not liable for a driver using a U.S. Government vehicle for "other authorized use," except when driving is a part of the employee's official duties as a U.S. Government employee; i.e., a post driver or chauffeur on duty. "Other authorized use" of an official vehicle not driven by a post driver or chauffeur on duty is contingent upon the post's acquisition of liability insurance for that purpose. The motor vehicle accountable officer (MVAO) or designee must inform "other authorized" drivers of their personal liability and the extent of liability insurance the post has for such drivers.

14 FAM 435.2 Loss or Extensive Damage to Official Vehicles

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. The repair of all official vehicles is a post responsibility and does not require prior approval from the Department.

b. The motor vehicle accountable officer (MVAO) must report motor vehicle-related and shop-related mishaps to the post occupational safety and health officer (POSHO) in accordance with 15 FAM 900. All mishaps involving injury, illness, death, or property damage exceeding $1000 must be reported to the Safety, Health, and Environmental Management Division in the Operations and Maintenance Office of the Bureau of Overseas Buildings Operations (OBO/OPS/SHEM). Any mishap involving an official vehicle where fatalities or inpatient/overnight hospitalization or vehicle or property damage exceeding $50,000.00 occurs must be reported to OBO/OPS/SHEM within 12 hours of occurrence. For USAID, the USAID EXO must submit to the POSHO and the USAID/W Safety and Health Officer a copy of all accident reports involving USAID-related mishaps that involve injury, illness, death, or property damage exceeding $1,000.

c. If a Department program vehicle is lost, stolen, or damaged beyond repair, the MVAO must forward Form DS-132, Property Disposal Authorization and Survey Report, for State (see 14 FAM 416.5-1(B), paragraphs b and c, and 14 FAM 416.5-3, paragraph f) or Form AID-534-1, Personal Property Disposal Authorization and Report, for USAID to the appropriate agency headquarters office in Washington, D.C. which owns the vehicle after survey action has been completed. Copies of the completed Form DS-132 involving ICASS vehicles must be sent to the Chief, Motor Vehicle Branch (A/LM/OPS/SL/MV). For USAID, submit AID-534-1 to M/MS/OMD.

d. USAID mission directors under the authority contained in ADS Chapter 536 may dispose of and replace vehicles without specific authority from M/MS/OMD.

e. **State only**: The MVAO must request a Form DS-1559, Authorization for Disposal of Vehicle, for a Department program vehicle within 30 days after the receipt of the replacement vehicle, then follow the procedures described in 14 FAM 437.1 to request replacement.

14 FAM 436 OPERATING MOTOR VEHICLES

14 FAM 436.1 Form OF-108, Daily Vehicle Use Record

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce)

a. Chauffeurs and incidental operators must perform daily inspections and document them on Form OF-108, Daily Vehicle Use Record, which must be maintained for all vehicles at post. The form must be completed on a daily basis by the employee operating or servicing the vehicle, except for passenger signatures. The responsible officer or employee, as defined in 14 FAM 431.2, paragraph b, must periodically review Form OF-108 (or equivalent) on each vehicle, checking for the accuracy of odometer readings and for any unreported vehicle damage. Form OF-108 may be translated into a local language provided that the format is not altered (see 14 FAH-1 Exhibit H-814.1). Copies of Form OF-108 must be kept for at least 3 years after the disposition of the vehicle.

b. **Agriculture only**: The detailed information required above may be maintained in a hardbound book with nonremovable pages.

14 FAM 436.2 Fuel for Official Vehicles

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. The manufacturer's recommendation for octane requirements and minimum lead content must be followed to the extent possible.

b. If a post has a bulk fuel operation or uses coupons for the purchase of fuel, strict controls must be placed on the distribution of fuel and coupons. A record must be made of all vehicles and persons having access to the fuel and coupons.

c. See 14 FAM 438.1-1 for alternate fuel policy.

14 FAM 436.3 Dispatching and Scheduling Vehicles

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. Motor pool vehicles must be maintained at a central point during office hours and dispatched for each trip. If possible, one vehicle should be reserved for emergencies.

b. Vehicles may be scheduled in advance for business purposes and a priority list established based on relative needs of individuals or offices. Recurring requirements should always be scheduled in advance.

c. The motor vehicle accountable officer (MVAO) or designee must establish effective management control procedures to ensure vehicles are used only by qualified chauffeurs or incidental operators—on official use as authorized by the MVAO or designee in accordance with Department requirements. This must include a key control system and a vehicle key control log; entries must include the requesting operator's name, vehicle identification number, and date/time when keys are picked up and returned. Keys and the log must be under the control of the individual given motor vehicle control responsibility.

14 FAM 436.4 Parking of Official Vehicles

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Apart from unusual circumstances requiring chief of mission (COM) approval, as well as those driven by personnel who are authorized home-to-office transportation, official vehicles should be parked overnight at a central location for security concerns, accountability, and safekeeping purposes.

14 FAM 437 RECORDS AND REPORTS

14 FAM 437.1 Accountability, Use, and Maintenance Records

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. Accountability, use, and maintenance records, including records of fuels and lubricants used, must be established and kept on file for all official vehicles. This data must be monitored for effective fleet management and management controls, and be available for A/LM/OPS/SL/MV use, in connection with requests to the annual reporting requirements. Complete details on forms for use in motor pool operations may be found at 14 FAH-1 H-800.

b. **USAID only**: Refer to ADS Chapter 536 for instructions on vehicle accountability records and reports requirements.

14 FAM 437.2 Annual Motor Vehicle Inventories and Motor Vehicle Survey

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. **State only**: Each post must complete a physical inventory and reconciliation of State's vehicles assigned to post annually (see 14 FAM 416.5). Beginning FY 2010 the inventory must be started no earlier than October 1 and certification submitted to the Motor Vehicle Branch (A/LM/OPS/SL/MV) by March 15 of the same fiscal year to ensure financial integrity. The Inventory of On-Hand Report (DOS 6094) is available in the ILMS-AM and lists all vehicles currently authorized and on hand at a post, and can be generated to include all program and ICASS vehicles (see the Logistics Management Motor Vehicle Program Web site under "Annual Mandatory Vehicles Reporting." The individual taking the physical inventory must update the asset records through the ILMS Motor Vehicle Worksheet with any changes found during the inventory. Posts must continue to certify that the vehicle inventory has been completed and report yearly inventory results to A/LM. Posts must send a copy of the completed inventory, signed by the post motor vehicle GSO motor vehicle accountable officer (MVAO) and the post property management officer, to the post Motor Vehicle Branch regional desk officer in A/LM/OPS/SL/MV. A copy of the signed inventory and the inventory working papers identifying overages/shortages and adjustments made during the inventory must be maintained at post for 3 years following the completion of the inventory process to support OIG audits and/or documentation requests from the Department's external auditor.

b. **USAID only**: The Overseas Vehicle Inventory is reported Online via the Financial Data Collection Tool – Quarterly Vehicle Inventory Report. The report is certified by the executive officer and/or their designate. This report fulfills the CFO requirement for the Quarterly Capitalized Asset report for vehicles only

and the M/MS/OMD annual requirement for an Overseas Vehicle Inventory Report. The basic motor vehicle record is Form AID-5-197, Motor Vehicle Report. Copies of the Form AID-5-197 must be transmitted to M/MS/OMD within 5 days of receipt or disposal of a vehicle.

14 FAM 437.3 Motor Vehicle Survey Form

(CT:LOG-129; 06-14-2012)
(State Only)

The motor vehicle accountable officer (MVAO) must ensure that the motor vehicle survey for all their vehicles is completed annually by both the supervisory and constituent posts and submitted electronically to A/LM/OPS/SL/MV by October 1 each year. The ILMS motor vehicle survey is an online survey form in ILMS that captures the required motor pool data. The MVAO or designee must complete the motor vehicle survey form for every vehicle that was in service at any time during the fiscal year reporting period (October 1 through September 30). The Motor Vehicle Branch (A/LM/OPS/SL/MV) uses survey data for their Motor Vehicle FAST/OMB reporting requirements.

14 FAM 438 ACQUISITION OF OFFICIAL VEHICLES

14 FAM 438.1 Authority to Acquire Official Vehicles

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. Vehicle replacement and fleet size and composition are determined by the appropriate headquarters office in Washington, DC:

   (1) **State**: Posts abroad must obtain prior approval from A/LM/OPS/SL/MV before acquiring any program vehicle by purchase, lease, transfer, or other means. ICASS councils at posts can determine post ICASS fleet sizes. However, authorization must be obtained from A/LM/OPS/SL/MV before any vehicle, including ICASS vehicles, is purchased offshore. Post requests to acquire Local Guard and Surveillance Detection Program vehicles must be submitted to DS/IP/OPO;

   (2) **USAID**: M/MS/OMD (see ADS Chapter 536 for policy on acquisition of vehicles); and

   (3) Agriculture, Foreign Agricultural Service; Office of Foreign Service Operations, International Services Division.

b. Acquisitions (including leases) by posts abroad for other agencies are governed by the policies and regulations of the requesting agency. However, 14 FAM

432.1, paragraph b, applies vehicle safety standards to all agencies under COM authority.

c. **State only**: The motor vehicle accountable officer (MVAO) or authorized designee must obtain prior approval from A/LM/OPS/SL/MV before acquiring any MV program vehicle by purchase, lease, transfer, or other means. Approvals are also subject to provisions in 14 FAM 438.4-4. Post requests to acquire Local Guard and Surveillance Detection Program vehicles must be submitted to DS/IP/OPO.

14 FAM 438.2 Alternate Fuel Policy

(CT:LOG-129; 06-14-2012)
(State Only)

a. In order to comply with regulations urging and mandating Federal agencies to reduce dependence on petroleum-based fuels, State will comply with the following procedures with regard to procurement of alternative fuel and hybrid vehicles:

b. A/LM/OPS/SL/MV will conduct an annual survey of posts to obtain information regarding the availability, accessibility, and cost of alternative fuels, the degree to which alternative fuel vehicles are in use in the host country, the existence of a market demand for such vehicles, and the availability of mechanical expertise and spare parts. Based on this survey and consultation with each post, A/LM/OPS/SL/MV will classify each overseas post according to a three-tiered system of classification:

(1) Tier One consists of posts where alternate fuel vehicles are common, mechanical expertise is easily accessible country-wide and at least one type of alternative fuel is readily available. Tier One posts must have no impediments to registration of selected alternative fuel vehicles. They must also possess sufficient market demand (estimated by post) for such vehicles that it can be assumed that a used hybrid or alternative fuel vehicle can be sold for a price comparable to the similarly depreciated price of a conventional vehicle;

(2) Tier Two consists of posts where at least one type of alternate fuel vehicle is readily available in the host country and at least one type of alternative fuel is commonly available. In a Tier Two post mechanical expertise is available in the city in which post is located and some demand (estimated by post) exists for used hybrid or alternative fuel vehicles; and

(3) Tier Three consists of all other posts.

c. A/LM/OPS/SL/MV must comply with the following guidelines with regards to procurement of alternative fuel vehicles:

(1) Wherever the ability to use more than one type of fuel (e.g., E85) is a standard option in a particular make and model of vehicle already being

considered for procurement, without prejudice to any other feature, A/LM/OPS/SL/MV will provide preference to vehicles incorporating that option;

(2) For Tier One posts: A/LM/OPS/SL/MV (MV) will work with post management to identify fleet vehicles which can be replaced by alternative fuel or PIH vehicles, with a goal of moving fleet composition towards accommodating fifty percent of passenger capacity with alternative fuel or PIH vehicles by December 31, 2015;

(3) For Tier Two posts: MV will procure or authorize procurement of alternative fuel or PIH vehicles, of a type already in use in post's host country, upon request. Tier Two posts are encouraged to move fleet composition towards a goal of accommodating thirty percent of passenger capacity with alternative fuel or PIH vehicles by December 31, 2015. MV will work with post management upon request to identify appropriate vehicles for replacement with alternative fuel or PIH vehicles; and

(4) For Tier Three posts: MV will neither procure nor authorize procurement of alternative fuel or PIH vehicles.

d. In all cases where procurement of alternative fuel or PIH vehicles is considered, a cost comparison must be performed between the proposed alternative fuel or PIH vehicle and a conventional vehicle to determine compatibility of costs. Cost comparison factors will include: purchase price, shipping costs, costs of spare parts consumed through normal routine maintenance, estimated resale value, fuel costs per mile, costs of any incidental expenses (see paragraph e below). Alternative fuel or PIH vehicles must only be procured where estimated total costs over the life of the vehicle (based on normal replacement cycle) are comparable within a ten percent margin or where such comparison shows an alternative fuel or PIH vehicle to be cheaper than a conventional equivalent.

e. Incidental expenses include any special fees or other requirements levied upon alternative fuel vehicles. These may also include the monetized costs of any additional requirements such as the need to drive to a particular depot or comply with a procedure not required for conventional vehicles in order to purchase fuel.

f. Local restrictions may limit the types of alternative fuel vehicles which may be registered in the host country. The goal of purchasing alternative fuel vehicles must not in and of itself be adequate justification to authorize local purchase rather than U.S. or other purchase.

g. Alternative fuel or PIH vehicles must only be purchased new from a manufacturer or dealer. Posts are not authorized to retrofit any vehicle to accommodate alternative fuel.

14 FAM 438.3 Replacement Criteria and Fleet Increases

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. **State**: A/LM/OPS/SL/MV funds and controls the replacement of MV program motor vehicles abroad, evaluating the size and composition of post fleets, as well as other factors, when reviewing replacement requests. As part of vehicle replacement discussions with A/LM/OPS/SL/MV, the motor vehicle accountable officer (MVAO) or designee must provide condition and maintenance data. Approval of vehicle replacement is largely based on the age, mileage, and condition. A vehicle due for replacement may not be replaced if the post has been reduced in size or if other vehicles in the fleet are underutilized. Requests for a fleet increase must be supported by a fleet survey.

b. **USAID**: Refer to ADS Chapter 536 for guidance on criteria covering USAID motor pool fleets.

14 FAM 438.4 Acquisition Methods

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

This section and its subordinate sections 14 FAM 438.4-1 through 14 FAM 438.4-6 do not apply to Bureau of Diplomatic Security (DS) armored vehicles. See 12 FAM 380 for instructions for the acquisition of DS armored vehicles.

14 FAM 438.4-1 General

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Funds for the purchase of vehicles are obtained through Congressional appropriations and proceeds from the sale of vehicles. Vehicles are acquired through purchase, lease, or transfer.

14 FAM 438.4-2 Recording Official Vehicles as Capitalized Assets in ILMS-AM

(CT:LOG-129; 06-14-2012)
(State Only)

a. All State official on-road motor vehicles are considered capitalized personal property and must be tracked on accountable records using ILMS-AM. When creating the asset record in ILMS for vehicles purchased abroad, the motor vehicle accountable officer (MVAO) or designee is responsible for validating the data to be recorded; i.e., acquisition cost, make, model, etc., (see 14 FAM

432.2, paragraph b). The MV staff will continue to create the inventory records for all vehicles received in Washington, DC for shipment to posts. Once the asset record is created, posts will have direct access to that record through the MV worksheet in ILMS and will be able to modify and dispose of vehicles by using this worksheet (see 14 FAM 432.2, paragraph b). The MVAO or designee will research by the vehicle PR number and VIN to update data, as needed.

b. When creating the asset record for official vehicles in ILMS-AM the MVAO or authorized designee must ensure the following:

(1) The acquisition cost of the vehicle includes all costs associated with putting the vehicle into use, including such costs as shipping and armoring charges (when applicable);

(2) That motor vehicles are assigned a 5-year useful life with the salvage value of 10% of the acquisition cost (except armored vehicles which depreciate to a zero value); and

(3) Valid fiscal data is entered from the obligation used to purchase the asset. The fiscal information should not change after the asset is originally acquired, including transfers, seized, or vehicles acquired by other than purchase, unless an error is discovered.

14 FAM 438.4-3 Purchase

(CT:LOG-97; 06-15-2011)
(Uniform State/USAID)

a. **USAID only**: Refer to ADS Chapter 536 on acquisition of vehicles.

b. **State only**: General Services Administration (GSA) is the mandatory procurement source for the acquisition of U.S.-manufactured vehicles purchased in the United States. Purchase requests are submitted by A/LM/OPS/SL/MV to GSA. Requests from other agencies to purchase vehicles from GSA will be returned to the requesting agency without action and requestors advised to submit the request to their agency's headquarters for processing:

(1) Consistent with U.S. Government representational and trade promotion goals, U.S.-manufactured vehicles are preferred to meet official vehicle requirements. If a U.S.-manufactured vehicle cannot meet requirements, every consideration should be given to vehicles manufactured by U.S. subsidiaries or affiliated manufacturers. Requests to purchase non-U.S. manufactured vehicles may be justified in the following conditions:

(a) Special requirements exist which cannot be met with a vehicle manufactured in the United States, e.g., right-hand drive vehicles;

(b) The total cost of acquisition and life cycle expenses of non-U.S.-made vehicles is at least one third less than that of U.S.-made vehicles due to the availability of parts and service, suitability to local conditions

and more efficient fleet operations. For program vehicles, a cost-benefit analysis must be submitted to A/LM/OPS/SL/MV for review to determine whether acquisition of a non-U.S.-made vehicle is justified; and

(c) Due to local conditions, a non-U.S.-made vehicle is required for security or other special operational needs. Justification to procure a vehicle under this provision must be submitted to A/LM/OPS/SL/MV. If the security is a consideration, the justification must be routed through DS/PSP/PEL for approval;

NOTE: Any fleet acquisitions with a gross cost exceeding $25,000 must be referred to A/LM/OPS/SL/MV;

(2) Foreign-made program vehicles are purchased abroad by the post, either through a regional procurement office, third-country procurement, or locally. All purchases of program vehicles abroad must be approved by A/LM/OPS/SL/MV;

(3) Waiver requests for non-U.S. manufactured ICASS vehicles: The motor vehicle accountable officer (MVAO) or designee no longer has to seek State approval to procure maintenance/utility/service type vehicles. The MVAO or designee is authorized to determine the suitability and appropriateness for maintenance/utility/service trucks, which includes stake, enclosed van (furniture type), pickup, delivery (step) van, water tanker, etc. The contracting officer has authority to make the waiver decision. The supporting documentation justifying the procurement of a non-U.S. manufactured vehicle should be retained in post's files and the MVAO or designee is not required to submit copies of supporting documentation to State. As stated this waiver authority applies to maintenance/utility/service type vehicles only:

(a) Light trucks (gross vehicle weight rating of 3,856 kg or less) purchased under this waiver must meet the vehicle safety requirements in 14 FAM 431.2-2; and

(b) Heavier trucks purchased under this waiver, if they cannot meet 14 FAM 431.2-2 using available optional equipment, must have seat belts installed for every seat, including integrated shoulder belts for all outboard seats; and

(4) When A/LM purchases a vehicle on behalf of post, A/LM will add the vehicle into ILMS. When posts purchases a vehicle offshore, the MVAO or authorized designee must enter the vehicle directly into ILMS as soon as possible to ensure the motor vehicle inventory is accurate. Posts are responsible for maintaining purchase documentation for all vehicle purchases offshore including:

(a) Either Form DS-2076, Purchase Order, or Form OF-347, Order for Supplies or Services;

(b) Either Form DS-127, Receiving and Inspection Report, or completion of the receiving portion of Form DS-2076; and

(c) Vendor invoice.

14 FAM 438.4-4 Lease

(CT:LOG-97; 06-15-2011)
(Uniform State/USAID)

a. **State only**: Posts may lease or rent a vehicle to meet temporary requirements for periods not to exceed 60 days. Leases in excess of 60 days must be approved in advance by the appropriate program activity when a vehicle is leased to supplement its respective fleet or by the ICASS council when the leased vehicle is being leased to support the ICASS fleet based on the following considerations:

(1) For reasons of economy, long-term program vehicle requirements are normally met by purchase rather than lease. However, if the motor vehicle accountable officer (MVAO) believes that unusual circumstances favor leasing motor pool vehicles, a proposal must be submitted to A/LM/OPS/SL/MV with a comparison of purchase price, maintenance and repair costs, operating costs, and proceeds from sale in comparison with annual lease costs, length of agreement, and contract maintenance and repair costs, if applicable. The comparison should be made for similar makes and models of vehicles. The provision of 14 FAM 437.3-3, paragraph c, concerning vehicles of foreign manufacture apply to lease as well as purchase;

(2) Approval of a program vehicle lease extends for the life of the lease but not for renewals. Renewal justification must be submitted in the same manner as for a new lease; and

(3) All long-term lease or rental vehicles will be recorded in the ILMS-AM inventory database the same as a State-owned vehicle, and appropriately coded as a lease vehicle.

b. **USAID only**: Refer to ADS Chapter 536 for guidance on criteria for leasing vehicles.

14 FAM 438.4-5 Transfer

(CT:LOG-155; 09-10-2013)
(Uniform State/USAID/Commerce/Agriculture)

a. **State only**: The transfer of a vehicle from one agency to another is appropriate under certain circumstances and conditions. However, prior A/LM/OPS/SL/MV approval for program vehicles is required. A request for approval must provide complete description, including standard and optional equipment, accumulated mileage, and condition. The request must state what

vehicle the transferred vehicle is intended to replace and provide a vehicle condition report for that vehicle. If the vehicle is to be acquired as a net fleet increase, justification and a fleet survey must be submitted. For DS-program vehicles this decision will be made by the appropriate DS program office that the vehicle will be used to support. For post ICASS vehicles this decision will be made by the post's ICASS council. If a vehicle is approved for transfer to State the motor vehicle accountable officer (MVAO) or designee should add the vehicle through the ILMS Motor Vehicle Worksheet. Valid costs and fiscal data are needed to create the asset record in ILMS.

b. Guidance on the acquisition cost to be recorded for transferred property without reimbursement is located at 4 FAM 733.5, paragraph d, and Property Accounting in *CGFS* is available to assist with any questions on vehicle transfers. The in-service date must be the date State took possession of the vehicle. The method of acquisition selected for nonreimbursed transfers shall be "Other Agency Transfer." The fiscal data used for the nonreimbursed transfers should be based on the use of the vehicle (e.g., ICASS use would be x4519.1 for the BFY the vehicle is received). When reimbursement is involved the fiscal data used should obligate for the cost just like any other procurement.

c. A/LM/OPS/SL/MV approval is not required when vehicles owned by another agency are being held for disposal purposes only. These vehicles must be disposed of and the funds deposited as instructed by the owning agency, and may not be retained by the donor agency for use prior to disposal.

14 FAM 438.4-6 Standardization Policy

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Department policy requires full and open competition in all procurements. Therefore, vehicles are provided to posts based on vehicle type rather than specific make and model. Posts that have an approved standardization on a specific make and model (see (Department of State Acquisition Regulation - DOSAR 606.370) may restrict their acquisitions to that make and model; however, competition must still be sought among the various sources that provide that make and model. Posts may not standardize on foreign vehicles. For USAID, ADS Chapter 536 provides specific guidance for posts wishing to standardize on a particular make of vehicle. However, a standardization agreement does not exempt a post from applicable statutory price limitations, pertaining to passenger vehicles (e.g., sedans and station wagons).

14 FAM 439 DISPOSAL OF OFFICIAL VEHICLES AND MISCELLANEOUS

(CT:LOG-62; 5-18-2009)

This section and its subordinate sections do not apply to Bureau of Diplomatic Security (DS) armored vehicles. Instructions for the disposal and acquisition of DS armored vehicles may be found in 12 FAM 380.

14 FAM 439.1 Methods of Disposal

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. **State only**: Posts must notify and obtain pre-approval from the respective program office, such as Diplomatic Security, Overseas Buildings Operations, MV program, etc., excluding ICASS, on a case-by-case basis, to dispose of a vehicle. Form DS-1559, Authorization for Disposal of Vehicle, is issued when a replacement motor pool vehicle is received. If the vehicle is not being replaced, the post should request a Form DS-1559 when a vehicle is no longer serviceable or economical to maintain. While the pre-approval requirement for vehicles will not change, posts will now be able to remove the vehicle from ILMS-AM inventories immediately following the proper disposal of the vehicle, resulting in improved timeliness and accuracy of motor vehicle inventory records. When disposal (e.g., sale of vehicle) is complete, vehicle records in ILMS-AM should immediately be adjusted to reflect the disposal method (see 14 FAM 432.2, paragraph b) including all other relevant data associated with the disposition, i.e., date of disposal, amount of proceeds realized, etc. The motor vehicle accountable officer (MVAO) or authorized designee is responsible for maintaining disposal documentation on file at post for all program and ICASS vehicles. A/LM/OPS/SL/MV does not require copies of disposal documentation for all program and ICASS vehicles. Disposal documentation consists of:

   (1) Either Form DS-132, Property Disposal Authorization Survey Report, or DS-1559, Authorization for Disposal of Vehicle); and

   (2) Form OF-158, General Receipt, if the vehicle the vehicle was disposed of through sale.

b. Normally, vehicles are to be sold on a competitive basis as replacement property. An exception involves all armored vehicles (see 12 FAM 380 for instructions for the disposal of DS armored vehicles).

c. Disposal of vehicles should be accomplished within six weeks after receipt of authorization. If disposal action cannot be completed within 2 months, the owning agency should be advised stating the reason for delay and what action is being taken. If disposal is delayed because of host-country requirements, the Office of Foreign Missions (DS/OFM) at State should be advised by memorandum, with copies of pertinent correspondence;

d. When a vehicle is lost or destroyed by accident, natural causes, or civil strife, a non-U.S. Government entity may provide replacement. In these

circumstances, acceptance of the vehicle must be approved by A/LM/OPS/SL/MV. The regional security officer (RSO) must inspect the vehicle for possible hidden transmitting or tracking devices and the GSO or appropriate employee must inspect the vehicle for suitability and safety requirements. Complete details relating to the incident should be provided, including a full description of the vehicle proposed as a replacement, and copy of Form DS-132, Property Disposal Authorization and Survey Report.

e. **USAID only**: See 14 FAM 417.2-3 and ADS Chapter 534.

14 FAM 439.2 Proceeds of Sale

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. State armored vehicles may not be sold (see 12 FAM 380).

b. Funds obtained from the sale of official vehicles must be deposited in accordance with instructions provided by the owning agency, normally included with the disposal authorization (see 4 FAH-3 H-327).

14 FAM 439.3 Miscellaneous

14 FAM 439.3-1 Use of Privately Owned Vehicles (POVs)

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. Authority is granted in 4 FAM 475 to authorize or approve the use of privately owned vehicles (POVs) for business purposes when this use is determined to be advantageous to the U.S. Government or when official transportation is not available. Reimbursement will be made on a mileage basis in accordance with the rate established by the General Services Administration in the Federal Travel Regulation for use of a privately owned vehicle (see 14 FAM 566.2-2).

b. Before POVs can be used for official business, the motor vehicle accountable officer (MVAO) or designee must verify that the owner/operator has a current, valid driver's license and meets the minimum age requirements prescribed in the Department's Motor Vehicle Safety Management Program (see 14 FAM 431.2-2). The MVAO or designee must also ensure that the owner/operator has been made familiar with local driving regulations.

c. In countries identified as "elevated risk" in the Department's MVSMP, owner/operators of POVs used for official business must complete an in-country driving orientation, to include driving practice in local traffic with an experienced operator. The owner/operator must complete driver safety training initially upon assignment in one of the elevated risk countries, with refresher or additional training at least every 2 years thereafter.

d. The infractions listed in 14 FAM 432.4, subparagraph c(5), for official vehicles also apply to owner/operators of POVs used for official business. Post's authorization and approval granted in 14 FAM 439.3-1, paragraph a, may be restricted or rescinded for an owner/operator of a POV based on a review of relevant infractions.

14 FAM 439.3-2 Mission Support

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

Motor vehicles acquired by each agency to provide for its specific transportation needs are considered mission support vehicles. Although such vehicles may be operated from a joint motor pool, they remain the property and responsibility of the owning agency. Certain special purpose or project vehicles acquired and used by specific offices or bureaus of State may have special accountability and use requirements.

14 FAM 439.3-3 Vehicle Maintenance Shop Safety and Health

(CT:LOG-129; 06-14-2012)
(Uniform State/USAID/Commerce/Agriculture)

a. The post occupational safety and health officer (POSHO) must inspect the vehicle maintenance shop, at least twice a year, and supervisors must inspect the shop on a weekly basis to identify and abate potential safety, health, and fire hazards. Control and disposal of hazardous materials, such as proper oil disposal, must also be addressed.

b. For general guidance see 15 FAM 900, Safety, Health and Environmental Management Program Abroad. Detailed guidance is provided in Fire Protection Guide in sections F-1 (Electrical Hazards), F-7 (Flammable and Combustible Liquids), 1-7 (Motor Pools), and in the Safety, Occupational Health and Environmental Resource Guide (Hazard Profiles/Checklists). Depending upon circumstances, other sections of the Fire Protection Guide and the Resource Guide may be applicable.

c. **USAID only**: See ADS Chapter 529, Safety Program.